

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Lindell Management LLC Litigation

Case No. 23-cv-1433 (JDT/DJF)

**DECLARATION OF THOMAS F.
MILLER IN RESPONSE TO
JUDGMENT CREDITOR'S
REQUEST FOR SANCTIONS**

I, Thomas F. Miller, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the counsel to the Judgment Debtor, Lindell Management LLC, in these District Court collection proceedings. I make this Declaration in response to the Judgment Creditor's pending request for monetary sanctions for tardiness in responding to interrogatories and requests for production of documents.

2. There is no dispute that the responses have been delinquent. Nor do I dispute that the time records submitted by opposing counsel are accurate. I do submit the following facts and arguments in mitigation of the amount claimed.

3. As discussed at the motion hearing on July 17 of this year, the discovery requests were extremely overbroad, to the extent that the Magistrate Judge proposed new language narrowing the scope. This was nothing less than a validation of defendant's major objection, and the sanctions should be adjusted accordingly.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Thomas F. Miller

Dated: August 7, 2024

